

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

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| HAITIAN-AMERICANS UNITED, INC., et al, |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | Case No. 20-11421-DPW-BMS-PBS |
| |) | |
| DONALD J. TRUMP, President of the United |) | |
| States in his Official Capacity, et al. |) | |
| |) | |
| Defendants. |) | |
| |) | |

**PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE TO FILE A REPLY IN SUPPORT
OF THEIR MOTION FOR LIMITED EXPEDITED DISCOVERY**

Pursuant to D. Mass. Local Rule 7.1(b)(3), Plaintiffs Haitian-Americans United, Inc., Brazilian Worker Center, Chelsea Collaborative, Inc. and Centro Presente respectfully move this Court for leave to file a Reply in further support of their Motion for Limited Expedited Discovery. As grounds for this Motion, Plaintiffs state as follows:

1. In this action, Plaintiffs are challenging a Memorandum issued by President Donald J. Trump on July 21, 2020, titled “Excluding Illegal Aliens from the Apportionment Base Following the 2020 Census” (the “Memorandum”). Plaintiffs challenge the Memorandum on a variety of grounds, including that it purports to exclude undocumented immigrants from the basis for congressional apportionment in violation of the U.S. Constitution and the Census Act.

2. On September 30, 2020, Plaintiffs filed a Motion for Limited Expedited Discovery, along with a Memorandum and a supporting affidavit. *See* ECF Nos. 18-22.

3. On October 7, 2020, Defendants filed an Opposition to Plaintiffs' Motion for Expedited Discovery. *See* ECF No. 27.

4. In their Opposition, Defendants make a number of arguments that require response and correction. Those include, without limitation, Defendants' argument that Plaintiffs' motion is untimely, and that the limited expedited discovery that Plaintiffs are seeking is unnecessary.

5. Accordingly, Plaintiffs have prepared the attached Reply memorandum in which they respond to and correct Defendants' mistaken arguments on these points.

6. Plaintiffs respectfully submit that there is good cause for Plaintiffs to file the attached Reply memorandum, because it will assist the Court in its resolution of the issues presented by the Motion for Limited Expedited Discovery.

7. Counsel for the Defendants has indicated that they do not oppose the relief requested in this Motion.

WHEREFORE, Plaintiffs respectfully move this Court for leave to file their Reply memorandum (attached hereto at Exhibit 1) in further support of their Motion for Limited Expedited Discovery.

Respectfully submitted,

HAITIAN-AMERICANS UNITED, INC.,
BRAZILIAN WORKER CENTER,
CHELSEA COLLABORATIVE, INC., and
CENTRO PRESENTE

By their attorneys,

/s/ Patrick M. Curran, Jr.

Neil V. McKittrick (BBO #551386)
Patrick M. Curran, Jr. (BBO #659322)
Anna B. Rao (BBO #703843)
Ogletree, Deakins, Nash, Smoak
& Stewart, P.C.
One Boston Place, Suite 3500
Boston, MA 02110
Tel: (617) 994-5700
Fax: (617) 994-5701
neil.mckittrick@ogletreedeakins.com
patrick.curran@ogletreedeakins.com
anna.rao@ogletreedeakins.com

Oren Sellstrom (BBO #569045)
Lauren Sampson (BBO #704319)
Lawyers for Civil Rights
61 Battery March Street, 5th Floor
Boston, MA 02110
(617) 988-0609
lsampson@lawyersforcivilrights.org

Dated: October 9, 2020

Certification Pursuant to Local Rule 7.1(a)(2)

I hereby certify that counsel of record for the parties have conferred in a reasonable and good faith effort to resolve or narrow the issues raised by this Motion, and that counsel for the Defendants has stated that they do not oppose the relief requested in this Motion.

/s/ Patrick M. Curran, Jr.
Patrick M. Curran, Jr.

CERTIFICATE OF SERVICE

I hereby certify that on October 9, 2020, the within document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing, and paper copies will be sent by mail to those indicated as non-registered participants on October 9, 2020.

/s/ Patrick M. Curran, Jr.

Patrick M. Curran, Jr.

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